

GOVERNMENT OF ANDHRA PRADESH  
ABSTRACT

Public Services - Andhra Pradesh State Prosecution Services - District offices of Prosecutions - Delegation of Administrative Powers to the Additional Public Prosecutors Grade-I / Deputy Director declaring them as Unit Officers at District level – Orders – Issued.

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LAW (LA&J-HOME-COURTS.A2) DEPARTMENT

G.O.Ms.No. 125

Dated:24-09-2013.

Read the following:-

1. G.O.Ms.No.323, Home (Courts.C) Department, dated.26-5-1986.
2. G.O.Rt.No.274, Home (Courts.C) Department, dated 30-1-89.
3. G.O.Ms.No.63, Law (LA&J-Courts.A2) Department, dated:20-04-1999.
4. Government Memo No.588, Home (Courts.C) Department, dated:14.03.1989.
5. From the Director of Prosecutions, Andhra Pradesh, Hyderabad letter No.446/A2/2012, dated:23.4.2012 & 26.7.2012.

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ORDER:-

In the G.O. 1<sup>st</sup> read above, Government had established a separate Directorate in the year 1986 and in the G.O. 2<sup>nd</sup> read above, declared the Director of Prosecutions as Head of Department and Chief Controlling Officer opening a new Head of Account for Prosecutions Department.

2. In the reference 4<sup>th</sup> read above, Government had declared the Assistant Public Prosecutor Grade-I/Police Prosecuting Officer (Administration) as drawing and Disbursing Officers of their respective Districts and accordingly they are attending to the given duties.

3. In the letter 5<sup>th</sup> read above, the Director of Prosecutions, Andhra Pradesh, Hyderabad has informed that by the time of issuing the above orders declaring the Assistant Public Prosecutor Grade-I/ Police Prosecuting Officer (Administration) as drawing and Disbursing Officers there are no other higher posts available in the Department, no integrated service rules are framed and there exist only two categories of cadre Prosecuting Officers i.e., Assistant Public Prosecutor Grade-II/ Assistant Police Prosecuting Officer and Assistant Public Prosecutor Grade-I/ Police Prosecuting Officer and so the Assistant Public Prosecutor Grade-I/ Police Prosecuting Officers (Administration) are declared as Drawing and Disbursing Officers of their respective Districts and the system is still continuing. They are also declared as appointing and disciplinary authority for the posts of Attenders vide G.O.Ms.No.63, Law (LA&J-Courts.A) Department, dated:20-4-1999. In the year, 1992, Government had framed special rules for Andhra Pradesh State Prosecuting Services vide G.O.Ms.No.188, Home (Courts.C) Department, dated:30-3-1992 creating number of categories of prosecuting officer posts and the post Public Prosecutor of District and Sessions Court is the highest category in the District. By virtue of the said service rules, the post of Senior Assistant Public Prosecutor (Administration), hitherto called as Assistant Public Prosecutor Grade-I/ Police Prosecuting Officer (Administration) had become second level Gazetted post in the hierarchy and the Public Prosecutor of District and Sessions Court is the fifth level Gazetted post. In the Directorate, the Public Prosecutors are posted in the capacity of Joint Directors of Prosecutions to look after the administrative work of the respective Zones. The next **below cadre in the hierarchy is Additional Public Prosecutor Grade-I, the fourth level Gazetted post** which is also termed as Deputy Director.

4. The Director of Prosecutions, Andhra Pradesh, Hyderabad has also informed that after framing the Andhra Pradesh State Prosecution Service Rules, 1992 for proper administration it is high time to change the present set up of administration by giving administrative powers to the senior officers like Additional Public Prosecutor Grade-I/ Deputy Director. In fact, the duties of the Deputy Directors (Additional Public Prosecutors Grade-I) are already notified in the compendium

[P.T.O.]

prepared by the Directorate in the year, 1993. According to the compendium each Deputy Director shall:

- (a) act as Legal Advisors to the Superintendent of Police and other departments in the Districts;
- (b) inspect and supervise offices of Additional Public Prosecutors Grade-II and other subordinate Prosecuting Officers in the District;
- (c) advise in the matter of Revisions and appeals against the decisions of Magistrate Courts and
- (d) draw and disburse pay and allowances for the Prosecuting Officers and other subordinate ministerial staff of the District.

5. It will also helpful to the Department to have close supervision and control over the Prosecuting Officers in the Districts to streamline the Prosecution work and to make them accountable, if the duties of the administrative work with Drawing and Disbursing Officer duties are attached to the Additional Public Prosecutors Grade-I/ Deputy Directors declaring them as unit officers. They can also attend the following matters besides the duties mentioned in the above para.

- (a) draw increments up to the level of Additional Public Prosecutor Grade-II;
- (b) sanction TA up to the level of Additional Public Prosecutor Grade-II,;
- (c) sanction casual leaves up to the level of Additional Public Prosecutor Grade-II;
- (d) sanction pension to all NGOs and Last Grade employees;
- (e) sanction GPF loans to all NGOs and Last Grade employees
- (f) appointing and disciplinary authority of last grade services and
- (g) sanction of medical reimbursement bills upto Rs.50,000/-.

6. In view of the above duties entrusted to the Additional Public Prosecutors Grade-I/ Deputy Directors at District level, the burden of work will lessen in the Directorate as it is suffering from heavy work load with meagre staff. In every District the post of Additional Public Prosecutor Grade-I/ Deputy Director is available, except at Chittoor. If the Government accepts the proposal, the head quarters of Chittoor will be at Tirupati, where the post of Additional Public Prosecutor Grade-I/ Deputy Director is available and all the staff working in the offices of the **Senior Assistant Public Prosecutor (Administration)** and the infrastructure have to be shifted to the offices of Additional Public Prosecutor Grade-I/ Deputy Director. Further, there is no financial implication in changing the administrative control from the **Senior Assistant Public Prosecutors (Administration) to the Additional Public Prosecutors Grade-I/ Deputy Director**. The list of Additional Public Prosecutor Grade-I/ Deputy Director in the Districts to whom the administrative powers to be vested is as follows:

Sl. No. (1)	Name of the District (2)	Name of the post to be declared to act as Drawing and Disbursing Officer with the administrative powers in the District in the capacity of Deputy Director (3)
1	Srikakulam	Additional Public Prosecutor Grade-I/ Special Public Prosecutor, Special Court for SC & ST (POA) Act, 1989, Srikakulam
2	Vizianagaram	Additional Public Prosecutor Grade-I I Additional District & Sessions Court, Vizianagaram
3	Visakhapatnam	Additional Public Prosecutor Grade-I, 1 <sup>st</sup> Additional District & Sessions –cum-MSJ Court, Visakhapatnam
4	East Godavari	Additional Public Prosecutor Grade-I IV Additional District & Sessions Court, Kakinada
5	West Godavari	Additional Public Prosecutor Grade-I I Additional District & Sessions Court, Eluru
6	Krishna	Additional Public Prosecutor Grade-I II Additional District & Sessions –cum-MSJ Court, Vijayawada

7	Guntur	Additional Public Prosecutor Grade-I II Additional District & Sessions Court, Guntur
8	Prakasam	Additional Public Prosecutor Grade-I/ Special Public Prosecutor, Special Court for SC & ST (POA) Act, 1989, Ongole.
9	SPSR Nellore	Additional Public Prosecutor Grade-I II Additional District & Sessions Court, Nellore
10	YSR Kadapa	Additional Public Prosecutor Grade-I I Additional District & Sessions Court, Kadapa
11	Kurnool	Additional Public Prosecutor Grade-I I Additional District & Sessions Court, Kurnool
12	Anantapur	Additional Public Prosecutor Grade-I/ Special Public Prosecutor, Special Court for SC & ST (POA) Act, 1989, Anantapur
13	<b>Chittoor</b>	Additional Public Prosecutor Grade-I III Additional District & Sessions Court, <b>Tirupati</b>
14	Khammam	Additional Public Prosecutor Grade-I/ Special Public Prosecutor, Special Court for SC & ST (POA) Act, 1989, Khammam
15	Warangal	Additional Public Prosecutor Grade-I I Additional District & Sessions Court, Warangal
16	Karimnagar	Additional Public Prosecutor Grade-I I Additional District & Sessions Court, Karimnagar
17	Adilabad	Additional Public Prosecutor Grade-I/ Special Public Prosecutor, Special Court for SC & ST (POA) Act, 1989, Adilabad
18	Hyderabad	Additional Public Prosecutor Grade-I III Additional Metropolitan Sessions Court, Hyderabad
19	Rangareddy	Additional Public Prosecutor Grade-I II Additional District & Sessions Court, L.B. Nagar, Ranga Reddy District
20	Medak	Additional Public Prosecutor Grade-I I Additional District & Sessions Court, Sangareddy
21	Mahabubnagar	Additional Public Prosecutor Grade-I/ Special Public Prosecutor, Special Court for SC & ST (POA) Act, 1989, Mahabubnagar
22	Nalgonda	Additional Public Prosecutor Grade-I/ Special Public Prosecutor, Special Court for SC & ST (POA) Act, 1989, Nalgonda
23	Nizamabad	Additional Public Prosecutor Grade-I I Additional District & Sessions Court, Nizamabad

7. The Director of Prosecutions, Andhra Pradesh, Hyderabad has requested the Government for shifting all the staff working in the offices of the Senior Assistant Public Prosecutor (Administration) and the infrastructure to the above said offices of Additional Public Prosecutor Grade-I/ Deputy Director in supersession of all the earlier orders in the matter and amending the G.O.Ms.No.63, Law (LA&J-Courts.A) Department, dated:20-4-1999 suitably to streamline the administration in the Districts.

8. Government after careful examination of the proposal and in supersession of the orders issued in Government Memo.No.588/Courts.C/89-2, Home (Courts.C) Department, dated:14-03-1989, Government hereby declare that Additional Public Prosecutor Grade-I/Deputy Directors mentioned at Column No.3 of the table at para 6 above as Unit Officers of the prosecutors department of the respective districts, duly shifting the Head Quarters of Chittoor to Tirupathi to exercise the powers and duties as mentioned at paras 4 & 5 in the capacity of Deputy Director.

9. They shall also attend the other duties in vogue as assigned to the Unit Officer from time to time by the Government / Head of the Department, subject to meet the expenditure under the Head of Account 2014-Administration of Justice, 114-Legal Advisors and Councils, (14)-District Offices of Prosecutions.

10. All the staff of the O/o. Senior Assistant Public Prosecutor (Administration), in the state shall be shifted to the O/o. Deputy Directors, together with infrastructure.

11. The following amendment is also issued to G.O.Ms.No.63, Law (LA&J-Courts.A2) Department, dated: 20-04-1999 :

**AMENDMENT**

In the said G.O. for the word "Senior Assistant Public Prosecutor" wherever it occurs, the word "Additional Public Prosecutor Grade-I/Deputy Director" shall be substituted.

12. This order issues with the concurrence of Finance (Expr.H&L) Department vide their U.O.No.1802/30/Exp.Home.II/2013, dated:12.04.2013.

13. The Director of Prosecutions, Andhra Pradesh, Hyderabad shall take necessary further action in the matter.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

A.SANTHOSH REDDY,  
SECRETARY TO GOVERNMENT,  
LEGISLATIVE AFFAIRS & JUSTICE.

To

The Director of Prosecutions, Andhra Pradesh, Hyderabad.

The Accountant General, Andhra Pradesh, Hyderabad.

The Pay & Accounts Officer, Hyderabad.

Copy to: The Deputy Pay & Accounts Officer, Old City Branch, Hyderabad.

Copy to: All the District Collectors

Copy to: The Commissioner of Police, Hyderabad& Cyberabad,  
Visakhapatnam & Vijayawada.

Copy to: All the Superintendent of Police.

Copy to: All the District Treasury Officers.

Copy to: P.S. to Secretary (LA&J).

Copy to: Law (E) Department.

Copy to : SF/SC.

// FORWARDED :: BY ORDER //

SECTION OFFICER.